

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

The Michelin Retirement Plan and the) Case No. 6:16-cv-03604-DCC-JDA
Investment Committee of the Michelin)
Retirement Plan,)
)
Plaintiffs,)
)
vs.) DEFENDANT MICHELLE MORTON'S
) STATUS REPORT
Dilworth Paxson, LLP, BFG Socially)
Responsible Investments, Ltd., Burnham)
Financial Group, Inc., Burnham Securities,)
Inc., COR Fund Advisors, LLC, GMT)
Duncan, LLC, Greenberg Traurig, LLP,)
Thorsdale Fiduciary and Guaranty Company)
LTD., U.S. Bank National Association,)
Valor Group Ltd., Wakpamni Lake)
Community Corp., Wealth-Assurance AG,)
Wealth Assurance Private Client)
Corporation, Timothy B. Anderson, Jon)
Michael Burnham, Devon D. Archer, Bevan)
T. Cooney, Hugh Dunkerly, Jason W.)
Galanis, John P. Galanis, Gary T. Hirst,)
Frankie D. Hughes, and Michelle A. Morton,)
)
Defendants.)

)

This law firm represents Defendant Michelle Morton in this matter. On June 12, 2017, Judge Herlong adopted the Court's Report and Recommendation granting a stay in this case for reasons including the pending related criminal case in the Southern District of New York in which Ms. Morton is also a defendant. Judge Herlong further ordered that the parties should provide status updates to the Court. For the reasons stated below, we request that the Court continue to stay this matter pending resolution of the related criminal case.

The trial in the criminal case is currently scheduled for April 30, 2018. The government is still producing discovery, and final pre-trial submissions are due April 2, 2017. Ms. Morton intends to continue to trial in the criminal matter. For this reason, there remain serious concerns about her Fifth Amendment privileges and her ability to defend herself in this case, which the Court noted on pages 9-10 of the adopted Report and Recommendation granting the current stay. Because of those remaining concerns, we respectfully request that the Court continue to stay this case until the resolution of the related criminal matter.

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